

Counsel Listed on Next Page

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

FISHER INVESTMENTS, INC., a California
corporation,

Plaintiff,

v.

MORGAN STANLEY DW, INC., a
Delaware corporation, and DOES 1-10,
inclusive,

Defendants.

Case No. C 07 2547 SC

**STIPULATION OF DISMISSAL
WITH PREJUDICE**

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Attorneys for Defendant
Morgan Stanley & Co., Inc.
(f/k/a Morgan Stanley DW, Inc.)

1 IT IS HEREBY STIPULATED, pursuant to Federal Rule of Civil Procedure 41(a)(1)(ii),
2 that all claims asserted in this case by Plaintiff are hereby dismissed with prejudice and, further,
3 that all parties shall bear their own costs and fees.

4 SO STIPULATED.

5 Dated: April 24, 2008

JOSEPH W. COTCHETT
NANCY L. FINEMAN
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7 SCOTT METZGER
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10 By: /s/ Scott Metzger
11 Scott Metzger
12 Attorneys for Plaintiff
Fisher Investments, Inc.

13 Dated: April 24, 2008

14 TRISH M. HIGGINS
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16 By: /s/ Michael D. Weil
17 Michael D. Weil
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21 I hereby attest that the concurrence in the filing of this document has been obtained from
22 Scott Metzger, Attorney for Plaintiff, Fisher Investments, Inc.

24 By: /s/ Michael D. Weil
25 Michael D. Weil
26 Attorneys for Defendant
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